

*AS
Cont*

12. (new) A modular laminate coating element according to Claim 10, wherein said tearing strip means have an anti-slipping surface.

13. (new) A modular laminate coating element according to Claim 10, wherein said tearable strip means are provided with an adhesive layer on a face thereof opposite to a face thereof coupled to said bottom layer.

14. (new) A method for making a modular laminate coating element according to Claim 10, comprising the steps of hot coupling a central layer of a thermoformable material, a top layer of a woven or non-woven material, a bottom layer of a material suitable for coupling with a tearing strip means, thermoforming said layers and simultaneously printing, sealing and cutting the perimeter of said coupled thermoformed layers by a contoured mold.

REMARKS

The specification has been amended, without adding new matter, to further reflect the fact the invention also relates to the method for making the modular element.

In paragraph 1 of the Office Action, the Examiner objected to the use of the registered trademark Velcro with identifying Velcro as a registered trademark. By this Amendment, the circle "R" has been inserted adjacent to each occurrence of the word Velcro. For this reason, it is requested that this ground of objection be withdrawn.

In paragraph 3 of the Office Action, claims 3 and 5 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claiming the subject matter which the applicant regards as the invention.

Reconsideration is requested.

Claims 3 and 5 have been canceled and the newly presented claims have been drafted to avoid the terms that were consider

to be objectionable. For this reason, it is requested that this ground of rejection not be applied to against the newly presented claims.

In paragraph 5, claims 1-4, 6, 8 and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by Latzke; claim 1-5 were rejected under 35 U.S.C. §102(a) as being anticipated by Berry and claims 5 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Latzke.

Reconsideration is requested.

New claims 10 to 14 have been submitted, in order to clearly distinguish the invention over the prior art patents, either individually or in combination.

From new claim 10, the gist of the invention should be envisaged in the fact that the modular laminate coating element comprises a thermoformable central layer having an exposed face on which a woven or non woven material top layer is arranged, the central layer having another face thereof on which the bottom layer of the material suitable for coupling with the tearing strip means is arranged, said top, central and bottom layers being hot coupled to one another to provide an integral laminate construction.

It is believed that new Claim 10 points out novel and non-obvious subject matter when compared with the prior patents. In fact, none of the prior art patents teaches a central thermoformable layer in a modular coating element and the absence of an element that couples the top, central and bottom layers, of the modular laminate coating element, to one another.

U.S. 4,350,726 to Berry, discloses a multipurpose pad, especially for use in back packing constructed of open, partial open or closed cell foam bonded to a synthetic wool fleece. This patent does not disclose a laminate modular element comprising three layers and does not disclose a central layer made of a thermoformable material: in particular, this document discloses a two component mat the two components of which are joined together by any flexible waterproof bonding agent, for example a contact cement. This

document does not address or teach to provide a hot coupling of a central thermoformable layer with a top and bottom further layers.

The Latzke patent, on the other hand, discloses means for effecting heat insulation, and for storing and distributing heat, more specifically the body heat on surfaces of the outer skin. This prior heat storing and distributing means comprises a laminate construction in which, however, the central layer is a flexible heat-conducting metal layer. This is not a thermoformable layer, and the laminate construction is not bonded by a hot-bonding method: on the contrary, the bonding of the metal layer to the two foam outer layers is effected by means of conventional adhesives which yield well-adhering bonds to the employed synthetic material as well as to the employed metal.

This patent does not teach or consider the concept of hot-bonding the three layers of the laminate modular element. Moreover, as stated, the central layer of this prior laminate construction is a metal layer and not a thermoformable material layer and, as such, the metal layer cannot be thermo-bonded to the outer layers.

For these reasons, it is believed that new Claim 10 is patentable over the cited prior art and allowance thereof is respectfully solicited, together with new claims 11, 12, 13 and 14, which disclose novel features of Applicant's modular laminate coating element which are also novel and non obvious over the prior art documents.

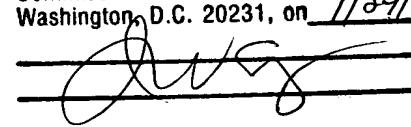
An early and favorable action is earnestly solicited.

Respectfully submitted,


James V. Costigan
Registration No. 25,669

HEDMAN & COSTIGAN
1185 Avenue of the Americas
New York, NY 10036
(212) 302-8989

I hereby certify that this
correspondence is being
deposited with the United States Postal Service as
first class mail in an envelope addressed to:
Commissioner for Patents,
Washington, D.C. 20231, on 1/8/03



Marked Up Copy Of Amended Title

A MODULAR LAMINATE COATING ELEMENT FOR COATING FLOORS,
WALLS AND THE LIKE AND METHOD FOR MAKING THE MODULAR
ELEMENT

Marked Up Copy Of Amendments To Specification:

Rewrite the paragraph which begins at page 2, line 2, as follows:

--The present invention relates to a modular laminat element for coating floors, walls and the like, and a method for making said modular element.--

Rewrite the paragraph which begins at page 3, line 21, as follows:

--Yet another object of the present invention is to provide [such a] very simple and quick method for making the modular covering element [which, owing to its specifically designed construction, is very reliable and safe in operation].--

Rewrite the paragraph which begins at page 6, line 8, as follows:

--On the bottom face of the central layer 1 is provided a bottom or lower layer 3, made of a fabric material suitable to hold a male portion of a tearing or tearable strip, such as a Velcro® strip, which is commercially well known.--

Rewrite the paragraph which begins at page 7, line 3, as follows:

--If the modular element must be used for coating walls or for permanent application, then on the Velcro® strip a bi-adhesive layer could be provided.--